

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Daniel J. Whitman (Reg. No. 43,987) on 9/22/08.

The application has been amended as follows:

IN THE CLAIMS:

In claim 1:

In line 8, --spool-type-- has been added before "flow control",

In line 10, "constant" has been deleted,

In line 11, --providing substantially constant flow rate-- has been added after "control",

In line 11, --under varying loading-- has been added after "the motor".

In claim 2, line 2, --spool-type-- has been added before "flow control valve".

In claim 8, line 2, --spool-type-- has been added before "flow control valve".

In claim 9:

In line 5, --spool-type-- has been added after "one",

In line 6, --spool-type-- has been added after "one",

In line 7, "constant" has been deleted,

In line 7, --providing substantially constant flow rate-- has been added after "control",

In line 8, --under varying loading-- has been added after "the motor".

In claim 10, line 2, --spool-type-- has been added after "one".

The above changes have been made to further distinguish the claims from the reference US4,611,527.

Reasons for allowance

The following is an examiner's statement of reasons for allowance:

The instant invention is deemed to be directed to an unobvious improvement over U.S. Patent No. 2,878,015 (Panissidi) which teaches an arrangement for controlling a hydraulically driven motor 22, forming part of a hydraulic system in which hydraulic fluid under pressure forms a main flow through a main duct 21,25 in which the motor is connected, the motor being adapted to drive a load with varying loading, and one or more valves 40 being adapted for controlling the hydraulic fluid flow through the motor during operation and also for starting and stopping of the motor, characterized in that one of the valves comprises a spool-type flow control valve 40 which is connected in the main duct 21,25 downstream of the motor 22 and is adapted for starting and stopping the motor and constant flow control of the hydraulic fluid flow through the motor.

Prior art fails to teach or suggest a spool type flow control valve arranged in a duct downstream of the motor and is adapted for starting and stopping the motor and flow control for providing substantially a constant flow rate of the hydraulic fluid flow through the motor under varying loading.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Kershteyn whose telephone number is (571) 272-4817. The examiner can normally be reached on regular. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Look can be reached on (571)2724820. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you

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would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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